

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Ferdinand Hermann BAHLMANN, *et al.*

Serial No.: 10/522,426

Filed: March 25, 2005

For: USE OF ERYTHROPOIETIN

Confirmation No.: 5804

Date: September 14, 2009

Group Art Unit: 1654

Examiner: Thomas S. Heard

VIA EFS - WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is a response to the Office Action mailed April 16, 2009 in the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

Any additional fee required has been calculated as follows:

\_\_\_\_\_ If checked, "Small Entity" status is claimed.

	NO. CLAIMS AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		EXTRA PRESENT		RATE	ADDIT. FEE
TOTAL	64	MINUS	64	* =	0	X	(\$26 SE or \$52)	\$0
INDEP.	14	MINUS	14	** =	0	X	(\$110 SE or \$220)	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						X	(\$195 SE or \$390)	\$
* not less than 20 ** not less than 3								TOTAL \$0

If any additional payment is required, a check which includes the calculated fee of \$ \_\_\_\_\_  
(Our Check No. \_\_\_\_\_) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

### **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

### **SUMMARY OF AMENDMENTS**

1. ☐ If checked, an abstract (an amended abstract) is submitted herewith.
2. ☐ If checked, amendment(s) to the drawings are submitted herewith.
3. ☐ If checked, amendment(s) to the specification are submitted herewith.
4. ☒ If checked, amendment(s) to the claims are submitted herewith.